

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

ERIC BIDWELL, et al.,

Plaintiffs,

v.

COUNTY OF SAN DIEGO, et al.,

Defendants.

Case No.: 16-CV-2575 TWR (MSB)

**ORDER (1) DENYING THE
BIDWELL PLAINTIFFS' MOTION
TO STRIKE DEFENDANTS'
NOTICE OF SUPPLEMENTAL
AUTHORITY, AND (2) GRANTING
BIDWELL PLAINTIFFS LEAVE TO
FILE A RESPONSE**

(ECF No. 196)

Presently before the Court is the Objection to and Motion to Strike Notice of Supplemental Authority filed by Defendants (“Mot.,” ECF No. 196) filed by Plaintiffs Eric Bidwell, Michael Feinstein, Azikiwe Franklin, and Jeff Provenzano (the “Bidwell Plaintiffs”). The Bidwell Plaintiffs request that the Court strike the Notice of Supplemental Authority filed by Defendants for failure to comply with the Court’s Standing Order for Civil Cases or, alternatively, permit the Bidwell Plaintiffs to file a sur-reply. (*See* Mot. at 1.)

Because the Court granted Defendants leave to file “a single, three-page notice of supplemental authority addressing the applicability of the *Cervantes* order to their pending motions for summary judgment,” (*see* ECF No. 192 at 1–2), the Court **OVERRULES** the

1 Bidwell Plaintiffs' objection and **DENIES** the Bidwell Plaintiffs' request to strike
2 Defendants' Notice of Supplemental Authority. Nonetheless, the Court **GRANTS** the
3 Bidwell Plaintiffs leave to file a response, not to exceed three (3) pages, to discuss the
4 distinguishing characteristics of *Cervantes*. *No further briefing on the Cervantes order will*
5 *be permitted.*

6 **IT IS SO ORDERED.**

7
8 Dated: October 16, 2020

A handwritten signature in black ink, appearing to read "Todd Robinson", is written over a horizontal line.

Honorable Todd W. Robinson
United States District Court